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10007957

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JOHN J. SURRE,

Plaintiff(s),

-against-

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC.,
AMERICAN STANDARD, INC.,
ANCHOR PACKING COMPANY,
BEAZER EAST, INC.,
f/k/a KOPPERS INDUSTRIES,
BELL & GOSSETT COMPANY,
BMCE INC.,
f/k/a UNITED CENTRIFUGAL PUMP,
BORDEN CHEMICAL, INC.,
BORDEN, INC.,
BORG WARNER INDUSTRIAL PRODUCTS,
a/k/a BW/IP INTERNATIONAL,
BURNHAM, LLC,
Individually, and as successor to
BURNHAM CORPORATION,
BW/IP INTERNATIONAL, INC.,
f/k/a BORG WARNER INDUSTRIAL PRODUCTS
successor to BYRON JACKSON PUMPS,
CARRIER CORPORATION,
Individually, and as successor in interest to
BRYANT HEATING &
COOLING SYSTEMS,
CBS CORPORATION, a Delaware Corporation,
f/k/a VIACOM INC. successor by merger to CBS
CORPORATION, a Pennsylvania Corporation,
f/k/a WESTINGHOUSE ELECTRIC CORPORATION,
CENTRAL HUDSON GAS & ELECTRIC,
CERTAIN TEED CORPORATION,
CLEAVER BROOKS COMPANY, INC.,
CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.,
COURTER & COMPANY INCORPORATED,
CRANE CO.,
CRANE COMPANY,
Individually and as successor to
Mark Controls Corporation and as
successor to Pacific Valves,
CROLL REYNOLDS ENGINEERING CO., INC.,
DB RILEY, INC.,
DUNHAM-BUSH, INC.,

X Index No.:

Date Filed:

Plaintiff Designates

NEW YORK

County as the Place of Trial

The Basis of Venue is

Defendants' Place of Business

SUMMONS

NEW YORK
COUNTY CLERK'S OFFICE

SEP 21 2007

NOT COMPARED
WITH COPY FILE

EASTERN REFRACTORIES COMPANY, INC.,
ECOLAIRE INCORPORATED,
ELLIOTT TURBOMACHINERY CO., INC.,
EMPIRE-ACE INSULATION MFG. CORP.,
FEDERAL PUMP CORPORATION,
FOSTER WHEELER, L.L.C.,
GARDNER DENVER, INC.,
GARLOCK SEALING TECHNOLOGIES LLC,
f/k/a GARLOCK INC.,
GENERAL ELECTRIC COMPANY,
GENERAL MOTORS CORPORATION,
GOULDS PUMPS, INC.,
H.B. SMITH COMPANY, INCORPORATED,
HEXION SPECIALTY CHEMICALS, INC.,
individually and a successor-on-interest to
THE BORDEN'S CONDENSED MILK COMPANY,
THE BORDEN COMPANY, BORDEN, INC. and
BORDEN CHEMICAL, INC.,
IMO INDUSTRIES, INC.,
INGERSOLL-RAND COMPANY,
INTERNATIONAL BUSINESS MACHINES CORPORATION,
ITT INDUSTRIES INC.,
J.H. FRANCE REFRACTORIES COMPANY,
KARNAK CORPORATION,
KENNEDY VALVE MANUFACTURING Co., Inc.,
MILTON ROY COMPANY,
MINNESOTA MINING & MANUFACTURING COMPANY,
OAKFABCO, INC.,
ORANGE & ROCKLAND UTILITIES, INC.,
OWENS-ILLINOIS, INC.,
PATTERSON PUMP COMPANY,
PEERLESS INDUSTRIES, INC.,
RAPID-AMERICAN CORPORATION,
RESEARCH CORPORATION,
RESEARCH-COTTRELL, INC.,
REXNORD CORPORATION,
Individually, and as successor to FALK CORPORATION,
ROBERT A. KEASBEY COMPANY,
SEQUOIA VENTURES, INC.,
f/k/a BECHTEL CORPORATION,
THE FAIRBANKS COMPANY,
TREADWELL CORPORATION,
U.S. RUBBER COMPANY (UNIROYAL),
UNION CARBIDE CORPORATION,
UNITED CONVEYOR CORPORATION,
VIAD CORP., Individually, and as successor in interest to
GRISCOM RUSSEL CO.,
WARREN PUMPS, INC.,
WEIL-MCLAIN,
a division of THE MARLEY COMPANY,

Defendants.

-----X
To the above named Defendant(s)

You are hereby summoned to answer the **verified** complaint in this action and to serve a copy of your answer, or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorney(s) within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated, September 18, 2007
New York, New York

Defendant's address:

SEE ATTACHED DEFENDANTS RIDER

WEITZ & LUXENBERG, P.C.
Attorney(s) for Plaintiff
Post Office Address
180 Maiden Lane
New York, New York 10038
(212) 558-5500

DEFENDANTS' RIDER

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC.
41 State Street
Albany, NY 11207

AMERICAN STANDARD, INC.
Michele Corcoran, New Filings Manager
c/o PACE
1009 Lenox Drive, Bldg 4 Suite 101
Lawrenceville, NJ 08648

ANCHOR PACKING COMPANY
CT Corporation System
1635 Market Street
Philadelphia, PA 19103

BEAZER EAST, INC.,
f/k/a KOPPERS INDUSTRIES
One Oxford Centre, Suite 3000
Pittsburgh, PA 15219

BELL & GOSSETT COMPANY
8200 North Austin Avenue
Morton Grove, IL 60053

BMCE INC.,
f/k/a UNITED CENTRIFUGAL PUMP
Weiner Lesniak LLP
Anna M. DiLonardo
888 Veterans Memorial Highway
Hauppague, NY 11788

BORDEN CHEMICAL, INC.
C/O THE PRENTICE-HALL CORPORATION SYSTEM, INC.
80 STATE STREET
Albany, NY 12207

BORDEN, INC.
180 E. BROAD STREET
Columbus, OH 43215-3709

BORG WARNER INDUSTRIAL PRODUCTS,
a/k/a BW/IP INTERNATIONAL
Unknown at Present Time

BURNHAM, LLC,
Individually, and as successor to
BURNHAM CORPORATION
1239 Harrisburg Pike
Lancaster, PA 17603

BW/IP INTERNATIONAL, INC.,
f/k/a BORG WARNER INDUSTRIAL PRODUCTS
successor to BYRON JACKSON PUMPS
200 South Michigan Avenue
Chicago, IL 60604

CARRIER CORPORATION,
Individually, and as successor in interest to
BRYANT HEATING &
COOLING SYSTEMS
CT Corporation System
111 8th Avenue
New York, NY 10011

CBS CORPORATION, a Delaware Corporation,
f/k/a VIACOM INC. successor by merger to CBS
CORPORATION, a Pennsylvania Corporation,
f/k/a WESTINGHOUSE ELECTRIC CORPORATION
Asbestos Litigation Support Manager
ECKERT SEAMANS CHERIN & MELLOTT, LLC
Case Management & Technology Center
USX Towers
600 Grant Street
Pittsburgh, PA 15219

CENTRAL HUDSON GAS & ELECTRIC
Gas & Electric Corporation
284 South Avenue
Poughkeepsie, NY 12601

CERTAIN TEED CORPORATION
CT Corporation System
111 8th Avenue
New York, NY 10011

CLEAVER BROOKS COMPANY, INC.
11950 West Park Place
Milwaukee, WI 11270

CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.
4 Irving Place
New York, NY 10003

COURTER & COMPANY INCORPORATED
McGivney, Kluger & Gannon
C/O Richard E. Leff, Esq.
80 Broad Street, 23rd Floor
New York, NY 10004

CRANE CO.
100 First Stamford Place
Stamford, CT 06902

CRANE COMPANY,

**Individually and as successor to
Mark Controls Corporation and as
successor to Pacific Valves**

100 First Stamford Place
Stamford, CT 06902

CROLL REYNOLDS ENGINEERING CO., INC.

2400 Reservoir Avenue
Trumbull, CT 06611

DB RILEY, INC.

CT Corporation System
111 8th Avenue
New York, NY 10011

DUNHAM-BUSH, INC.

175 South Street
West Hartford, CT 06110-1928

EASTERN REFRACTORIES COMPANY, INC.

McMAHON, MARTINE & GALLAGHER
90 Broad Street
14th Floor
New York, NY 10004

ECOLAIRE INCORPORATED

C.T. CORPORATION SYSTEMS
101 FEDERAL STREET
Boston, MA 02110

ELLIOTT TURBOMACHINERY CO., INC.

CT Corporation System
1515 Market Street
Philadelphia, PA 19103

EMPIRE-ACE INSULATION MFG. CORP.

c/o THE SECRETARY OF STATE
41 State Street
Albany, NY 12207

FEDERAL PUMP CORPORATION

Charles S. Bierner
WOLF, BLOCK, SCHORR & SOLIS-COHEN, LLP
250 Park Avenue
New York, NY 10177

FOSTER WHEELER, L.L.C.

Route 173 at Frontage Road
Clinton, NJ 08809

GARDNER DENVER, INC.

1800 Gardner Expressway
Quincy, IL 62301

**GARLOCK SEALING TECHNOLOGIES LLC,
f/k/a GARLOCK INC.**

CT Corporation System
111 8th Avenue
New York, NY 10011

GENERAL ELECTRIC COMPANY

Electric Insurance Company
75 Sam Fonzo Drive
Beverly, MA 01915

GENERAL MOTORS CORPORATION

CT Corporation Systems
111 8th Avenue
New York, NY 10011

GOULDS PUMPS, INC.

240 Fall Street
Seneca Falls, NY 13148

H.B. SMITH COMPANY, INCORPORATED

260 North Elm Street
Westfield, MA 01085

HEXION SPECIALTY CHEMICALS, INC.,

individually and a successor-on-interest to
**THE BORDEN'S CONDENSED MILK COMPANY,
THE BORDEN COMPANY, BORDEN, INC. and
BORDEN CHEMICAL, INC.**

180 E. BROAD STREET
Columbus, OH 43215-3709

IMO INDUSTRIES, INC.

997 Lenox Drive
Suite 111
Lawrenceville, NJ 08648

INGERSOLL-RAND COMPANY

CT Corporation Systems
111 8th Avenue
New York, NY 10011

INTERNATIONAL BUSINESS MACHINES CORPORATION

New Orchard Road
Armonk, NY 10504

ITT INDUSTRIES INC.

CT Corporation System
111 8th Avenue
New York, NY 10011

J.H. FRANCE REFRACTORIES COMPANY
SPECIAL CLAIMS SERVICES, INC.
809 Co-shocton Avenue
Suite 1
Mount Vernon, OH 43050-1931

KARNAK CORPORATION
330 Central Avenue
Clark, NJ 07066

KENNEDY VALVE MANUFACTURING Co., Inc.
1021 East Water Street
Elmira, NY 14901

MILTON ROY COMPANY
201 Ivyland Road
Warminster, PA 18974

MINNESOTA MINING & MANUFACTURING COMPANY
CT Corporation System
111 8th Avenue
New York, NY 10011

OAKFABCO, INC.
705 McKnight Park Drive
Pittsburgh, PA

ORANGE & ROCKLAND UTILITIES, INC.
1 Blue Hill Plaza
Pearl River, NY 10965

OWENS-ILLINOIS, INC.
One Michael Owens Way
Perrysburg, OH 43551

PATTERSON PUMP COMPANY
9201 Ayersville Road
Toccoa, GA 30577-9033

PEERLESS INDUSTRIES, INC.
Carol Martindell
McGivney & Kluger, P.C.
23 Vreeland Road, Suite 220
Florham Park, NJ 07932

RAPID-AMERICAN CORPORATION
2711 Centerville Road
Wilmington, DE 19808

RESEARCH CORPORATION
4703 East Camp Lowell Drive
Suite 201
Tucson, AZ 85712

RESEARCH-COTTRELL, INC.
C T CORPORATION SYSTEM
111 EIGHTH AVENUE
New York, NY 10011

REXNORD CORPORATION,
Individually, and as successor to FALK CORPORATION

4701 W. Greenfield Avenue
Milwaukee, WI 53214

ROBERT A. KEASBEY COMPANY
Weiner Lesniak LLP
Anna M. DiLonardo
888 Veterans Memorial Highway
Hauppague, NY 11788

SEQUOIA VENTURES, INC.,
f/k/a BECHTEL CORPORATION
C/O Dan Moretti, Esq
120 Broadway, 27th Flr
New York, NY 12207

THE FAIRBANKS COMPANY
CT Corporation System (GA)
1201 Peachtree Street NE
Atlanta , GA 30361

TREADWELL CORPORATION
McGivney, Kluger & Gannon
C/O Richard E. Leff, Esq.
80 Broad Street, 23rd Floor
New York, NY 10004

U.S. RUBBER COMPANY (UNIROYAL)
c/o Frank Degrim, Esq.
GREENFIELD, STEIN & SENOIR
600 Third Avenue, 11th Floor
New York, NY 10016-1903

UNION CARBIDE CORPORATION
CT Corporation Systems
111 8th Avenue
New York, NY 10019

UNITED CONVEYOR CORPORATION
2100 Norman Drive West
Waukegan, IL 60085

VIAD CORP., Individually, and as successor in interest to
GRISCOM RUSSEL CO.
1850 North Central Avenue, Viad Tower
Phoenix, AZ 85077

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JOHN J. SURRE,

Plaintiff(s),

-against-

Index No.: 112820-07

Date Filed: 9/21/07

**VERIFIED
COMPLAINT**

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROPSCIENCE INC.,
AMERICAN STANDARD, INC.,
ANCHOR PACKING COMPANY,
BEAZER EAST, INC.,
f/k/a KOPPERS INDUSTRIES,
BELL & GOSSETT COMPANY,
BMCE INC.,
f/k/a UNITED CENTRIFUGAL PUMP,
BORDEN CHEMICAL, INC.,
BORDEN, INC.,
BORG WARNER INDUSTRIAL PRODUCTS,
a/k/a BW/IP INTERNATIONAL,
BURNHAM, LLC,
Individually, and as successor to
BURNHAM CORPORATION,
BW/IP INTERNATIONAL, INC.,
f/k/a BORG WARNER INDUSTRIAL PRODUCTS
successor to BYRON JACKSON PUMPS,
CARRIER CORPORATION,
Individually, and as successor in interest to
BRYANT HEATING &
COOLING SYSTEMS,
CBS CORPORATION, a Delaware Corporation,
f/k/a VIACOM INC. successor by merger to CBS
CORPORATION, a Pennsylvania Corporation,
f/k/a WESTINGHOUSE ELECTRIC CORPORATION,
CENTRAL HUDSON GAS & ELECTRIC,
CERTAIN TEED CORPORATION,
CLEAVER BROOKS COMPANY, INC.,
CONSOLIDATED EDISON COMPANY
OF NEW YORK, INC.,
COURTER & COMPANY INCORPORATED,
CRANE CO.,
CRANE COMPANY,
Individually and as successor to
Mark Controls Corporation and as
successor to Pacific Valves,
CROLL REYNOLDS ENGINEERING CO., INC.,
DB RILEY, INC.,
DUNHAM-BUSH, INC.,
EASTERN REFRACTORIES COMPANY, INC.,

WARREN PUMPS, INC.

82 Bridges Avenue
Warren, MA 01083

WEIL-MCLAIN,

a division of THE MARLEY COMPANY
500 Blaine Street
Michigan City, IN 46360

ECOLAIRE INCORPORATED,
ELLIOTT TURBOMACHINERY CO., INC.,
EMPIRE-ACE INSULATION MFG. CORP.,
FEDERAL PUMP CORPORATION,
FOSTER WHEELER, L.L.C.,
GARDNER DENVER, INC.,
GARLOCK SEALING TECHNOLOGIES LLC,
f/k/a GARLOCK INC.,
GENERAL ELECTRIC COMPANY,
GENERAL MOTORS CORPORATION,
GOULDS PUMPS, INC.,
H.B. SMITH COMPANY, INCORPORATED,
HEXION SPECIALTY CHEMICALS, INC.,
individually and a successor-on-interest to
THE BORDEN'S CONDENSED MILK COMPANY,
THE BORDEN COMPANY, BORDEN, INC. and
BORDEN CHEMICAL, INC.,
IMO INDUSTRIES, INC.,
INGERSOLL-RAND COMPANY,
INTERNATIONAL BUSINESS MACHINES CORPORATION,
ITT INDUSTRIES INC.,
J.H. FRANCE REFRACTORIES COMPANY,
KARNAK CORPORATION,
KENNEDY VALVE MANUFACTURING Co., Inc.,
MILTON ROY COMPANY,
MINNESOTA MINING & MANUFACTURING COMPANY,
OAKFABCO, INC.,
ORANGE & ROCKLAND UTILITIES, INC.,
OWENS-ILLINOIS, INC.,
PATTERSON PUMP COMPANY,
PEERLESS INDUSTRIES, INC.,
RAPID-AMERICAN CORPORATION,
RESEARCH CORPORATION,
RESEARCH-COTTRELL, INC.,
REXNORD CORPORATION,

Individually, and as sucesor to FALK CORPORATION,
ROBERT A. KEASBEY COMPANY,
SEQUOIA VENTURES, INC.,

f/k/a BECHTEL CORPORATION,
THE FAIRBANKS COMPANY,
TREADWELL CORPORATION,
U.S. RUBBER COMPANY (UNIROYAL),
UNION CARBIDE CORPORATION,
UNITED CONVEYOR CORPORATION,
VIAD CORP., Individually, and as successor in interest to
GRISCOM RUSSEL CO.,
WARREN PUMPS, INC.,
WEIL-MCLAIN,
a division of THE MARLEY COMPANY,

Defendants.

Plaintiff(s), JOHN J. SURRE, by their attorneys WEITZ & LUXENBERG, P.C., upon information and belief, at all times hereinafter mentioned alleges as follows:

1. Plaintiff(s), JOHN J. SURRE, by their attorneys, WEITZ & LUXENBERG, P.C., for their **verified complaint** respectfully alleges:
2. Defendant BEAZER EAST, INC., f/k/a KOPPERS INDUSTRIES, was and still is a duly organized domestic corporation doing business in the State of New York.
3. Defendant BEAZER EAST, INC., f/k/a KOPPERS INDUSTRIES, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.
4. Defendant BELL & GOSSETT COMPANY, was and still is a duly organized domestic corporation doing business in the State of New York.
5. Defendant BELL & GOSSETT COMPANY, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.
6. Defendant BORDEN CHEMICAL, INC., was and still is a duly organized domestic corporation doing business in the State of New York.
7. Defendant BORDEN CHEMICAL, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

8. Defendant BORDEN, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

9. Defendant BORDEN, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

10. Defendant BORG WARNER INDUSTRIAL PRODUCTS, a/k/a BW/IP INTERNATIONAL, was and still is a duly organized domestic corporation doing business in the State of New York.

11. Defendant BORG WARNER INDUSTRIAL PRODUCTS, a/k/a BW/IP INTERNATIONAL, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

12. Defendant BW/IP INTERNATIONAL, INC., f/k/a BORG WARNER INDUSTRIAL PRODUCTS successor to BYRON JACKSON PUMPS, was and still is a duly organized domestic corporation doing business in the State of New York.

13. Defendant BW/IP INTERNATIONAL, INC., f/k/a BORG WARNER INDUSTRIAL PRODUCTS successor to BYRON JACKSON PUMPS, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

14. Defendant CARRIER CORPORATION, Individually, and as successor in interest to BRYANT HEATING & COOLING SYSTEMS, was and still is a duly organized domestic corporation doing business in the State of New York.

15. Defendant CARRIER CORPORATION, Individually, and as successor in interest to BRYANT HEATING & COOLING SYSTEMS, was and still is a duly organized

foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

16. Defendant CENTRAL HUDSON GAS & ELECTRIC, was and still is a duly organized domestic corporation doing business in the State of New York.

17. Defendant CENTRAL HUDSON GAS & ELECTRIC, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

18. Defendant CRANE COMPANY, Individually and as successor to Mark Controls Corporation and as successor to Pacific Valves, was and still is a duly organized domestic corporation doing business in the State of New York.

19. Defendant CRANE COMPANY, Individually and as successor to Mark Controls Corporation and as successor to Pacific Valves, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

20. Defendant CROLL REYNOLDS ENGINEERING CO., INC., was and still is a duly organized domestic corporation doing business in the State of New York.

21. Defendant CROLL REYNOLDS ENGINEERING CO., INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

22. Defendant DUNHAM-BUSH, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

23. Defendant DUNHAM-BUSH, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

24. Defendant ECOLAIRE INCORPORATED, was and still is a duly organized domestic corporation doing business in the State of New York.

25. Defendant ECOLAIRE INCORPORATED, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

26. Defendant ELLIOTT TURBOMACHINERY CO., INC., was and still is a duly organized domestic corporation doing business in the State of New York.

27. Defendant ELLIOTT TURBOMACHINERY CO., INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

28. Defendant FEDERAL PUMP CORPORATION, was and still is a duly organized domestic corporation doing business in the State of New York.

29. Defendant FEDERAL PUMP CORPORATION, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

30. Defendant GARDNER DENVER, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

31. Defendant GARDNER DENVER, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

32. Defendant H.B. SMITH COMPANY, INCORPORATED, was and still is a duly organized domestic corporation doing business in the State of New York.

33. Defendant H.B. SMITH COMPANY, INCORPORATED, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

34. Defendant HEXION SPECIALTY CHEMICALS, INC., individually and a successor-on-interest to THE BORDEN'S CONDENSED MILK COMPANY, THE BORDEN COMPANY, BORDEN, INC. and BORDEN CHEMICAL, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

35. Defendant HEXION SPECIALTY CHEMICALS, INC., individually and a successor-on-interest to THE BORDEN'S CONDENSED MILK COMPANY, THE BORDEN COMPANY, BORDEN, INC. and BORDEN CHEMICAL, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

36. Defendant IMO INDUSTRIES, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

37. Defendant IMO INDUSTRIES, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

38. Defendant INTERNATIONAL BUSINESS MACHINES CORPORATION, was and still is a duly organized domestic corporation doing business in the State of New York.

39. Defendant INTERNATIONAL BUSINESS MACHINES CORPORATION, was and still is a duly organized foreign corporation doing business and/or

transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

40. Defendant ITT INDUSTRIES INC., was and still is a duly organized domestic corporation doing business in the State of New York.

41. Defendant ITT INDUSTRIES INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

42. Defendant KARNAK CORPORATION, was and still is a duly organized domestic corporation doing business in the State of New York.

43. Defendant KARNAK CORPORATION, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

44. Defendant KENNEDY VALVE MANUFACTURING Co., Inc., was and still is a duly organized domestic corporation doing business in the State of New York.

45. Defendant KENNEDY VALVE MANUFACTURING Co., Inc., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

46. Defendant MILTON ROY COMPANY, was and still is a duly organized domestic corporation doing business in the State of New York.

47. Defendant MILTON ROY COMPANY, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

48. Defendant ORANGE & ROCKLAND UTILITIES, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

49. Defendant ORANGE & ROCKLAND UTILITIES, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

50. Defendant RESEARCH CORPORATION, was and still is a duly organized domestic corporation doing business in the State of New York.

51. Defendant RESEARCH CORPORATION, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

52. Defendant RESEARCH-COTTRELL, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

53. Defendant RESEARCH-COTTRELL, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

54. Defendant REXNORD CORPORATION, Individually, and as successor to FALK CORPORATION, was and still is a duly organized domestic corporation doing business in the State of New York.

55. Defendant REXNORD CORPORATION, Individually, and as successor to FALK CORPORATION, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

56. Defendant THE FAIRBANKS COMPANY, was and still is a duly organized domestic corporation doing business in the State of New York.

57. Defendant THE FAIRBANKS COMPANY, was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

58. Defendant VIAD CORP., Individually, and as successor in interest to GRISCOM RUSSEL CO., was and still is a duly organized domestic corporation doing business in the State of New York.

59. Defendant VIAD CORP., Individually, and as successor in interest to GRISCOM RUSSEL CO., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

60. Defendant WARREN PUMPS, INC., was and still is a duly organized domestic corporation doing business in the State of New York.

61. Defendant WARREN PUMPS, INC., was and still is a duly organized foreign corporation doing business and/or transacting business in the State of New York and/or should have expected its acts to have consequences within the State of New York.

Plaintiff(s), JOHN J. SURRE, repeats and realleges NYAL - WEITZ & LUXENBERG, P.C. STANDARD ASBESTOS COMPLAINT FOR PERSONAL INJURY No. 7 as if fully incorporated herein as it pertains to the defendants in the aforementioned caption.

Dated: *September 18, 2007*
New York, New York

Yours, etc.,

WEITZ & LUXENBERG, P.C

Attorneys for Plaintiff(s)
180 Maiden Lane
New York, NY 10038
(212) 558-5500

LAW OFFICES
OF
WEITZ
&
LUXENBERG, P.C.
180 MAIDEN LANE
NEW YORK, N.Y. 10038

STATE OF NEW YORK)

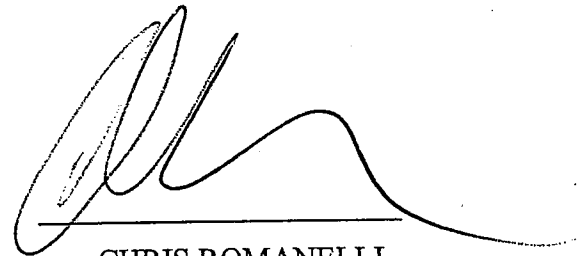
SS:

COUNTY OF NEW YORK)

The undersigned, an attorney admitted to practice in the Courts of New York State,
shows:

Deponent is an Associate of the firm WEITZ & LUXENBERG, P.C., Counsel for the
plaintiff(s) in the within action; deponent has read the foregoing **summons and verified
complaint** and knows the contents thereof; the same is true to deponent's own knowledge, except
as to the matters therein stated to be alleged on information and belief, and that as to those
matters deponent believes it to be true. This verification is made by deponent and not by
plaintiff(s) because plaintiff(s) resides outside of the County of New York where plaintiffs'
counsel and deponent maintain their office.

Dated: September 18, 2007
New York, New York

A handwritten signature in black ink, appearing to read 'CHRIS ROMANELLI', written over a horizontal line.

CHRIS ROMANELLI

Index No.: 112820-07

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

JOHN J. SURRE,

Plaintiff(s),

-against-

AMCHEM PRODUCTS, INC.,
n/k/a RHONE POULENC AG COMPANY,
n/k/a BAYER CROSCIENCE INC., et. al.,

Defendants.

SUMMONS and COMPLAINT

WEITZ & LUXENBERG, P.C.
Attorneys for PLAINTIFFS
180 Maiden Lane
New York, NY 10038
212-558-5500

To
Attorney(s) for

Service of a copy of the within
is hereby admitted.

Dated, September 18, 2007

.....
Attorney(s) for